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PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

September 19, 2006

Commissioner For Patents  
Office of Initial Patent Examination  
Customer Service Center  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Our File: REGIM 3.3-057  
Appln. No. 10/539,492  
Filing Date: January 6, 2006  
Group Art Unit: 1714

Dear Sir:

We are enclosing herewith copies of the filing receipt, executed Declaration and Application Data Sheet for the above-identified patent application.

Please note that the filing receipt contains several errors, as follows:

- First, the "*Applicant(s)*" section is incomplete. Therefore, please insert the fourth-named Applicant to read --**Serge Magnet, Buc, FRANCE**--.
- Second, in the section entitled "*Domestic Priority Data as Claimed by Applicant*," please DELETE line 2 that reads "which claims benefit of 60/147,507 08/09/1999."
- Finally, the section entitled "*Foreign Applications*" has inadvertently been left blank. This section should read --**European Patent Office (EPO) 02293183.6 12/20/2002**--.

Further, enclosed is a copy of a Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Please change the "*Priority Date*" to read --**12/20/2002**--, not "08/09/1999."

Kindly issue a corrected filing receipt and Notice of Acceptance of Application for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP

MARCUS J. MILLET  
Reg. No. 28,241

MJM/lis  
Enclosures

PCT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,492	Sophie Duquesne	REGIM 3.3-057

INTERNATIONAL APPLICATION NO.

PCT/IB03/06398

I.A. FILING DATE	PRIORITY DATE
12/19/2003	08/09/1999

00530  
 LERNER, DAVID, LITTENBERG,  
 KRUMHOLZ & MENTLIK  
 600 SOUTH AVENUE WEST  
 WESTFIELD, NJ 07090

CONFIRMATION NO. 2459

371 ACCEPTANCE LETTER



\*OC000000020006607\*

Date Mailed: 08/15/2006

### NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

01/06/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
 (c)(4) REQUIREMENTS

01/06/2006

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 06/17/2005
- Copy of the International Search Report filed on 06/17/2005
- Preliminary Amendments filed on 06/17/2005
- Information Disclosure Statements filed on 06/17/2005
- Oath or Declaration filed on 01/06/2006
- U.S. Basic National Fees filed on 06/17/2005
- Priority Documents filed on 06/17/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

FORM PCT/DO/EO/903 (371 Acceptance Notice)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/539,492	01/06/2006	1714	1690	REGIM 3.3-057	10	14	1

00530

LERNER, DAVID, LITTENBERG,  
 KRUMHOLZ & MENTLIK  
 600 SOUTH AVENUE WEST  
 WESTFIELD, NJ 07090



CONFIRMATION NO. 2459

## FILING RECEIPT



\*OC00000002O006606\*

Date Mailed: 08/15/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Sophie Duquesne, Saint-Andre, FRANCE;  
 Rene Delobel, Villeneuve-d'Ascq, FRANCE;  
 Charaf Jama, Villeneuve-d'Ascq, FRANCE;

**Power of Attorney:** The patent practitioners associated with Customer Number 00530.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB03/06398 12/19/2003  
 which claims benefit of 60/147,507 08/09/1999

## Foreign Applications

If Required, Foreign Filing License Granted: 08/12/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/539,492**

Projected Publication Date: 11/23/2006

Non-Publication Request: No

Early Publication Request: No

RECEIVED

AUG 16 2006

10/539,492

**Title**

Polymer binder for intumescent coatings

**Preliminary Class**

524

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Please type a plus sign (+) inside this box ☐

PTO/SB/01 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	REGIM 3.3-057
	<b>First Named Inventor</b>	Sophie Duquesne
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	Not Yet Assigned
	<b>Filing Date</b>	Concurrently Herewith
	<b>Group Art Unit</b>	N/A
	<b>Examiner Name</b>	Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

POLYMER BINDER FOR INTUMESCENT COATINGS

(Title of the Invention)

the specification of which

☐ is attached hereto  
OR

☒ was filed on (MM/DD/YYYY) 12/19/2003 as United States Application Number or PCT International

Application No. PCT/IB2003/006398 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
02293183.6	EP	12/20/2002	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

Please type a plus sign (+) inside this box +

PTO/SB/01 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## DECLARATION — Utility or Design Patent Application

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530

Direct all correspondence to:



Customer Number  
or Bar Code Label

000530

OR ☐

Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Email

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**



A petition has been filed for this unsigned inventor

Given Name  
(first and middle (if any))

Sophie

Family Name  
or Surname

Duquesne

Inventor's  
Signature

*[Signature]*  
Saint-André

Date

le 13 Juillet 2005

Residence: City

State

Country

France

Citizenship

France

Mailing  
Address:

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City

Saint-André

State

ZIP

F-59350

Country

France

**NAME OF SECOND INVENTOR:**



A petition has been filed for this unsigned inventor

Given Name  
(first and middle (if any))

René

Family Name  
or Surname

Delobel

Inventor's  
Signature

*[Signature]*  
Villeneuve-d'Ascq

Date

le 13 Juillet 2005

Residence: City

State

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Mailing  
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State

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F-59650

Country

France



Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

LD-537A



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**DECLARATION****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**

Page 1 of 1

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Charaf		Jama	
Inventor's Signature		Date 12/07/2005	
Villeneuve-d'Ascq	State	France	Morocco
Residence: City		Country	Citizenship
Mailing Address: 8, rue du Lieutenant Colpin			
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City		Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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Serge		Magnet	
Inventor's Signature		Date 09/07/05	
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Residence: City		Country	Citizenship
Mailing Address: 6, rue Albert Calmette			
Buc	State	F-78530	France
City		Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country

## **Application Data Sheet**

### **Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	POLYMER BINDER FOR INTUMESCENT COATINGS
Attorney Docket Number::	REGIM 3.3-057
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	10
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

### **Applicant Information**

Applicant Authority Type::	Inventor
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City of mailing address::	Saint-André
Country of mailing address::	France

Postal or Zip Code of mailing address:: F-59350

Applicant Authority Type:: Inventor  
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Postal or Zip Code of mailing address:: F-59650

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City of mailing address:: Villeneuve-d'Ascq  
Country of mailing address:: France  
Postal or Zip Code of mailing address:: F-59650

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: France  
Status:: Full Capacity  
Given Name:: Serge  
Family Name:: Magnet  
City of Residence:: Buc

Country of Residence:: France  
Street of mailing address:: 6, rue Albert Calmette  
City of mailing address:: Buc  
Country of mailing address:: France  
Postal or Zip Code of mailing address:: F-78530

**Correspondence Information**

Correspondence Customer Number:: 000530

**Representative Information**

Representative Customer Number:: 000530

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/IB2003/006398	12/19/03

**Foreign Priority Information**

Country::	Application number::	Filing Date::	Priority Claimed::
European Patent Office	02293183.6	12/20/02	Yes

**Assignee Information**

Assignee name:: ELIOKEM  
Street of mailing address:: ZA de Courtaboeuf 2, 14, avenue des  
Tropiques  
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Country of mailing address:: France  
Postal or Zip Code of mailing address:: F-91140